

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CHIEF HENRY V. TOBIN III, :
 :
 Plaintiff, :
 : C.A. No. 04-1211 MPT
 v. :
 :
 THOMAS P. GORDON, individually: :
 and in his official capacity; :
 SHERRY FREEBERRY, individually :
 and in her official capacity; :
 COLONEL JOHN L. CUNNINGHAM, :
 RETIRED, individually; :
 COLONEL DAVID F. MCALLISTER, :
 individually and in his :
 official capacity; and :
 NEW CASTLE COUNTY, :
 a municipal corporation, :
 :
 Defendants. :

JOINTLY STIPULATED SCHEDULING ORDER FOR PLAINTIFF'S FEE PETITION

WHEREAS the Court conducted a teleconference on April 16, 2008, and determined after discussion that the matter of Plaintiff's attorneys' fees cannot be resolved at this juncture by agreement of the parties;

IT IS ORDERED that:

1. Plaintiff shall file his Motion for Attorneys' Fees, Interest and Costs and his Opening Memorandum in Support Thereof, on or before May 1, 2008.

2. Defendants shall file their Answering Memorandum and serve Plaintiff's counsel their Response(s) to First Request for Production of Documents in Aid of Plaintiff's Application for Attorneys' Fees on or before June 2, 2008.

3. Plaintiff shall file his Reply Memorandum on or before
June 18, 2008.

IT IS SO STIPULATED.

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Attorney for Defendant
John L. Cunningham

Dated: April 17, 2008

Dated: April 17, 2008

IT IS SO ORDERED this ____th day of _____,
2008.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE

Tobin/Pleadings/Jt Sched Ordr for Pl Fee Pet